CARL BENSON
4240 FELTON ST #23
SAN DEIGO CA. 92104
(619)646-5239
DAVID T. JACKSON
4240 FELTON ST#23
SAN DEIGO CA.
(619)646-2168

FILED
2008 AUG -7 AM 10: 10
CLERK US DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
DEPUTY

NUNC PRO TUNC
AUG 4 2008

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALFORNIA

CARL BENSON AND DAVID T.JACKSON Plaintiff, vs. JERIMIAH BARRY, Defendant	Case No.:08CV1186 BTM(AJB) COMPLIANCE WITH ORDER TO SHOW CAUSE

PLAINTIFF'S DAVID T. JACKSON (A DECORATED WAR VETERAN HONORABLY DISCHARED FOR FIVE YEARS AND 10 MONTHS OF DEDICATED SERVICE DURING OPERATION IRAQI FREEDOM) AND CARL BENSON (PATER MOTUS) WHO ARE BOTH AFRICAN AMERICAN STATE TO HAVE RESIDED AT PRESENT ADDRESS FOR A PERIOD OF ONE YEAR AND HAVE HAD REGULAR CORRESSPONDENCE WITH VARIOUS ENTITIES IN THE SAN DIEGO AREA WITH NO INTERRUPTION IN MAIL SERVICE UNTIL NOW(MAILING DATES ON FILE WITH CLERK OF COURTS) AND TRULY APOLIGIZE FOR THE UNTIMELY SUBMISSION OF THESE DOCOUMENTS AND ASK THE COURTS FORGIVNESS IN THIS MATTER AND PLEAD WITH THE COURT TO NOT DIMISS THIS CASE WITHOUT FIRST VEIWING THE FACTS AT HAND AND A MOTION TO PROCEED BE GRANTED

PLAINTIFF'S WHO ARE AFRICAN AMERICAN BELIEVE TO HAVE BEEN DISCRIMINATED AGAINST BECAUSE OF THEIR ETHINIC BACKGROUND DUE TO THE FACT OF ON OR ABOUT JAN. OR FEB.OF 2008 THEY WERE ORDERED BY THE DEFENDENT JERIMIAH BARRY WHO IS CAUCASION TO NOT STAND OR SIT ON THE TWO FAMILY PORCH WHERE THEY RESIDE PER REQUEST OF ETHIOPIAN NEIGHBOORS RESIDING NEXT TO PLAINTIFFS, PLAINTIFFS STATE TO HAVE NO HISTORY OF DISTURBANCE OR PROPERTY ABUSE DOCUMENTED.

PLAINTIFF'S WHO ARE AFRICAN AMERICAN BELIEVE TO HAVE BEEN DISCRIMINATED AGAINST BECAUSE OF THEIR ETHINIC BACKGROUND DUE TO THE FACT THAT PLAINTIFF'S HAVE REQUESTED LEASE AGREEMENT NUMEROUS TIMES BUT HAVE BEEN DENIED DUE TO THE INTENTIONAL AND SUBTLE DISCRIMNATION TACTICS OF THE DEFENDENT. PLAINTIFF'S ARE LED TO BELIEVE THIS DUE TO THE FACT OF AFTER FURTHER INVESTIGATION PLAINTIFF'S NOTICED A PATTERN OF CAUCASION,MEXICAN, AND OTHER MEMBERS OF DIVERSITY WERE GIVEN LEASE AGREEMENTS UPON MOVIING IN OPPOSED TO AFRICAN AMERICANS. (Newby v.Alto Riviera Apartments,60 Cal App.3d 288 (1976)

PLAINTIFF'S WHO ARE AFRICAN AMERICAN BELIEVE TO HAVE BEEN DISCRIMINATED AGAINST BECAUSE OF THEIR ETHINC BACKGROUND DUE TO THE FACT THAT ON MAY 1 2008 AT 9:45 WHEN A SOCIAL GATHERING FOR DECORATED WAR VETERAN DAVID T. JACKSON WAS SET TO COMMENCE WAS CANCELLED BY THE DEFENDANT JERIMIAH BARRY WHO IS CAUCASION PER REQUEST OF THE PLAINTIFF'S ETHIOPIAN NEIGHBOORS ,BUT ON JUNE 15, 2008 ALLOWED THESE SAME MEMBERS OF DIVERSITY TO HAVE A GATHERING THAT WENT WELL AFTER 1:00 AM AND PEOPLE WHERE GATHERED ON THE VERY SAME PORCH WHERE THE DEFENDENTS WHERE ORDERED NOT TO BE (Gunter v. Stockton,55Cal 131 (1976)

As a direct result of a verbal confrontation initiated by the defendant on July 23 2008 where as once again I the plaintiff Carl Benson was threatened by the defendant [Jeremiah Barry] mentioned in complaint filed with the clerk of courts on or about July 3 2008 , in demand of and explanation as to why rent had been paid in the form of certified mail I explained to Mr. Barry that I was on my way to work and that the conversation he insisted upon having could wait until I returned ,he then flew into a rage and began to swear so I immediately called my roommate and common-law cousin to witness Mr. Barry's outrageous and abusive behavior, after telling me , you don't know who your f, with, and threatening to evict me immediately, I realized there was no point in trying to reason with the defendant so I informed him that I no longer wished to continue the present conversation and bid him a good day But unfortunately it had spoiled my entire attitude for even existing for moment and I couldn't hide it , and was terminated from my job the same night ,

Shortly after this incident and due to previous inflictions of intentional emotional stress placed upon me by the defendant I thought it best to seek the assistance of professional mental health help and are currently in the process of establishing out patient therapy

Respectfully submitted
Carl Benson
DAVID JACKSON

Carl Ben
David Jackson

ents and Setting

22 Oct 04

MEMORANDUM

From: Sickcall Screener Program Manager, 3rd MAW, Al Asad, Iraq
To: Sickcall Screener

Subj: ASSIGNMENT OF SCREENER PROGRAM PRECEPTOR

Ref: (a) BUMEDINST 6550.9C
(b) BUMEDINST 6010.13

1. Per reference (a), the Medical Officer, Physician Assistant, Nurse Practitioner or Independent Duty Corpsman in your work center has been designated to serve as your Screener Program Preceptor. In the absence of your preceptor, a Medical Officer, Physician Assistant, Nurse Practitioner, Allied Health Care Provider or an Independent Duty Corpsman assigned to your clinical area shall serve in lieu of your preceptor.

2. Your preceptor has been directed to review and assist in your delivery of health care to patients at this facility. Your preceptor must review 100 percent of the medical records you have completed prior to the patient leaving the treatment area. In addition, your preceptor has been directed to meet with you on a periodic basis to review your clinical performance and to discuss clinical strengths and opportunities to improve care.

3. You are directed to become completely knowledgeable with references (a) and (b), to ensure that all this supervision and reviewing requirements of these directives are fulfilled.

4. Congratulations on your hard work and accomplishment.

B. K. MCNEIL

Copy to:
Member
Screener Training Files

CAUTION: NOT TO BE USED FOR IDENTIFICATION PURPOSES | THIS IS AN IMPORTANT RECORD. SAFEGUARD IT. | ANY ALTERATIONS IN SHADED AREAS RENDER FORM VOID

CERTIFICATE OF RELEASE OR DISCHARGE FROM ACTIVE DUTY

1. NAME *(Last, First, Middle)*
JACKSON, DAVID TIMOTHY

2. DEPARTMENT, COMPONENT AND BRANCH
NAVY-USNR

3. SOCIAL SECURITY NUMBER
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

4a. GRADE, RATE OR RANK
HM3

b. PAY GRADE
E4

5. DATE OF BIRTH *(YYYYMMDD)*
19800507

6. RESERVE OBLIGATION TERMINATION DATE *(YYYYMMDD)* 20051119

7a. PLACE OF ENTRY INTO ACTIVE DUTY
NAVY & MARINE CORPS RESERVE CENTER
SAN DIEGO, CA

b. HOME OF RECORD AT TIME OF ENTRY *(City and state, or complete address if known)*
WARREN, AR

8a. LAST DUTY ASSIGNMENT AND MAJOR COMMAND
3RD MAW UNITS MCAS MIRAMAR, CA

b. STATION WHERE SEPARATED
NMPS CAMP LEJEUNE, NC

9. COMMAND TO WHICH TRANSFERRED
NAVY & MARINE CORPS RESEVE CENTER SAN DIEGO, CA

10. SGLI COVERAGE ☐ NONE
AMOUNT: $ 250,000

11. PRIMARY SPECIALTY *(List number, title and years and months in specialty. List additional specialty numbers and titles involving periods of one or more years.)*
HM-8404 FIELD MEDICAL SERVICE TECHNICIAN
(5 YEARS, 10 MONTHS)
X X X
X X X
X X X
X X X
X X X

12. RECORD OF SERVICE	YEAR(S)	MONTH(S)	DAY(S)
a. DATE ENTERED AD THIS PERIOD	04	JUN	14
b. SEPARATION DATE THIS PERIOD	05	APR	13
c. NET ACTIVE SERVICE THIS PERIOD	00	09	20
d. TOTAL PRIOR ACTIVE SERVICE	05	00	00
e. TOTAL PRIOR INACTIVE SERVICE	00	11	00
f. FOREIGN SERVICE	00	00	00
g. SEA SERVICE	00	00	00
h. EFFECTIVE DATE OF PAY GRADE	01	SEP	16

13. DECORATIONS, MEDALS, BADGES, CITATIONS AND CAMPAIGN RIBBONS AWARDED OR AUTHORIZED *(All periods of service)*
NAVY GOOD CONDUCT MEDAL, NAVY RESERVE MERITORIOUS SERVICE MEDAL, MERITORIOUS UNIT COMMENDATION, GLOBAL WAR ON TERRORISM EXPEDITIONARY MEDAL (WITH EGA DEVICE), GLOBAL WAR ON TERRORISM SERVICE MEDAL, SEA SERVICE DEPLOYMENT RIBBON, OVERSEAS SERVICE

14. MILITARY EDUCATION *(Course title, number of weeks, and month and year completed)*
NONE THIS PERIOD
X X X
X X X
X X X
X X X
X X X

	YES	NO
15a. MEMBER CONTRIBUTED TO POST-VIETNAM ERA VETERANS' EDUCATIONAL ASSISTANCE PROGRAM		X
b. HIGH SCHOOL GRADUATE OR EQUIVALENT	X	

16. DAYS ACCRUED LEAVE PAID NONE

17. MEMBER WAS PROVIDED COMPLETE DENTAL EXAMINATION AND ALL APPROPRIATE DENTAL SERVICES AND TREATMENT WITHIN 90 DAYS PRIOR TO SEPARATION — YES ☐ NO ☒

18. REMARKS
BLOCK 13 CONT: RIBBON (2), ARMED FORCES RESERVE MEDAL (WITH "M" DEVICE). MEMBER WAS MOBILIZED IN SUPPORT OF OPERATIONS NOBLE EAGLE AND ENDURING FREEDOM. IN ENDURING FREEDOM THEATER FROM 04AUG18 TO 05FEB11. AUTHORIZED TAMP BENEFITS TO EXPIRE ON 05OCT12. DATE DETACHED SEPARATION ACTIVITY: 05APR12 (1 DAY TRAVEL TIME). DCN: 43354-05-9951-RSG.
X X X X X
X X X X X
X X X X X
X X X X X
X X X X X

The information contained herein is subject to computer matching within the Department of Defense or with any other affected Federal or non-Federal agency for verification purposes and to determine eligibility for, and/or continued compliance with, the requirements of a Federal benefit program.

19a. MAILING ADDRESS AFTER SEPARATION *(Include ZIP Code)*
5195 STREAMVIEW DRIVE
SAN DIEGO, CA 92105

b. NEAREST RELATIVE *(Name and address - include ZIP Code)*
LEOLA JACKSON 5195 STREAMVIEW DRIVE
SAN DIEGO, CA 92105

20. MEMBER REQUESTS COPY 6 BE SENT TO CA **DIRECTOR OF VETERANS AFFAIRS** ☒ YES ☐ NO

21. SIGNATURE OF MEMBER BEING SEPARATED
David Jackson

22. OFFICIAL AUTHORIZED TO SIGN *(Typed name, grade, title and signature)*
L. STOLARCZYK, YNC, USNR, SENIOR ENLISTED LEADER

CAUTION: NOT TO BE USED FOR IDENTIFICATION PURPOSES

THIS IS AN IMPORTANT RECORD. SAFEGUARD IT.

ANY ALTERATIONS IN SHADED AREAS RENDER FORM VOID

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JACKSON, DAVID TIMOTHY	NAVY-USNR	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

4a. GRADE, RATE OR RANK	b. PAY GRADE	5. DATE OF BIRTH *(YYYYMMDD)*	6. RESERVE OBLIGATION TERMINATION DATE *(YYYYMMDD)*
HM3	E4	19800507	20051119

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SAN DIEGO, CA

b. HOME OF RECORD AT TIME OF ENTRY *(City and state, or complete address if known)*
WARREN, AR

8a. LAST DUTY ASSIGNMENT AND MAJOR COMMAND
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NMPS CAMP LEJEUNE, NC

9. COMMAND TO WHICH TRANSFERRED
NAVY & MARINE CORPS RESEVE CENTER SAN DIEGO, CA

10. SGLI COVERAGE ☐ NONE
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(5 YEARS, 10 MONTHS)

12. RECORD OF SERVICE	YEAR(S)	MONTH(S)	DAY(S)
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14. MILITARY EDUCATION *(Course title, number of weeks, and month and year completed)*
NONE THIS PERIOD

	YES	NO
15a. MEMBER CONTRIBUTED TO POST-VIETNAM ERA VETERANS' EDUCATIONAL ASSISTANCE PROGRAM		X
b. HIGH SCHOOL GRADUATE OR EQUIVALENT	X	

16. DAYS ACCRUED LEAVE PAID NONE

17. MEMBER WAS PROVIDED COMPLETE DENTAL EXAMINATION AND ALL APPROPRIATE DENTAL SERVICES AND TREATMENT WITHIN 90 DAYS PRIOR TO SEPARATION YES ☐ NO ☒

18. REMARKS
BLOCK 13 CONT: RIBBON (2), ARMED FORCES RESERVE MEDAL (WITH "M" DEVICE). MEMBER WAS MOBILIZED IN SUPPORT OF OPERATIONS NOBLE EAGLE AND ENDURING FREEDOM. IN ENDURING FREEDOM THEATER FROM 04AUG18 TO 05FEB11. AUTHORIZED TAMP BENEFITS TO EXPIRE ON 05OCT12. DATE DETACHED SEPARATION ACTIVITY: 05APR12 (1 DAY TRAVEL TIME). DCN: 43354-05-9951-RSG.

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21. SIGNATURE OF MEMBER BEING SEPARATED
(signature) David Jackson

22. OFFICIAL AUTHORIZED TO SIGN *(Typed name, grade, title and signature)*
J. L. STOLARCZYK, YNC, USNR, SENIOR ENLISTED LEADER

SPECIAL ADDITIONAL INFORMATION *(For use by authorized agencies only)*

23. TYPE OF SEPARATION
RELEASED FROM ACTIVE DUTY

24. CHARACTER OF SERVICE *(Include upgrades)*
HONORABLE

25. SEPARATION AUTHORITY	26. SEPARATION CODE	27. REENTRY CODE
MILPERSMAN 1910-104 & CNPC RMG 080042Z FEB 05	MBK	RE-R1

28. NARRATIVE REASON FOR SEPARATION
COMPLETION OF REQUIRED ACTIVE SERVICE

29. DATES OF TIME LOST DURING THIS PERIOD *(YYYYMMDD)*
TL: NONE

30. MEMBER REQUESTS COPY 4 *(Initials)* DJ

DEPARTMENT OF THE NAVY ★ UNITED STATES OF AMERICA ★

3rd MARINE AIR WING
AL ASAD IRAQ

This is to Affirm that

HM3 David T. Jackson

Has completed the

SICKCALL SCREENER'S COURSE

At the

MARINE CORPS AIR STATION AL ASAD, IRAQ

On

22 Oct 04

HM1/USN
PROGRAM MANAGER

CDR/MC
PROGRAM DIRECTOR